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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAIN RE CALIFORNIA BAIL BOND
ANTITRUST LITIGATION

This Document Relates to:

ALL ACTIONS

Case No. 19-cv-00717-JST

ORDER ON MOTION TO STRIKE

Re: ECF No. 582

Before the Court is Plaintiffs' motion to strike Defendants' statement of recent decision. ECF No. 582. The Court will grant the motion in part.

On September 23, 2025, Defendants filed a statement of recent decision in support of their opposition to Plaintiffs' motion for class certification, identifying the Ninth Circuit's decision in *Engilis v. Monsanto*, No. 23-4201, 2025 WL 2315898 (9th Cir. Aug. 12, 2025). ECF No. 581. Plaintiffs now move to strike the statement, contending that the paragraph of text accompanying Defendants' statement constitutes improper argument in violation of Civil Local Rule 7-3(d)(2). ECF No. 582 at 2. In the alternative, Plaintiffs request leave to file a response. *Id.* Defendants oppose the motion, arguing that the paragraph of text is simply a summary of the case and includes one sentence directing the Court's attention to the relevant analysis. ECF No. 585 at 2. Defendants request in the alternative that the Court consider just the *Engilis* decision without considering the accompanying argument. *Id.*

The local rules permit parties to submit statements of recent decision but specify that any such notice "shall contain a citation to and provide a copy of the new opinion without argument." Civil L.R. 7-3(d)(2). Defendants' commentary violates Rule 7-3, "as it not only summarizes the favorable portions of the opinion only but also proceeds to apply the opinion's reasoning to this

1 case.” *Becerra v. Dr Pepper/Seven Up, Inc.*, No. 17-CV-05921-WHO, 2018 WL 1569697, at *4
2 (N.D. Cal. Mar. 30, 2018). The Court will therefore strike the arguments contained in Defendants’
3 statement and “consider only the copy of the decision attached to the notice.” *Tibbs v. Arlo*
4 *Techs., Inc.*, No. 23-CV-05096-EJD, 2024 WL 3218650, at *4 (N.D. Cal. June 27, 2024); *see also*
5 *Becerra*, 2018 WL 1569697, at *4.

6 Plaintiff’s request for leave to file a response is denied.

7 **IT IS SO ORDERED.**

8 Dated: October 21, 2025



9
10 JON S. TIGAR
United States District Judge

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12 United States District Court
13 Northern District of California
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